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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RICHARD KADREY, an individual; SARAH
SILVERMAN, an individual; CHRISTOPHER
GOLDEN, an individual,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
corporation;

Defendant.

Case No. 3:23-cv-03417-VC

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE TO
NOVEMBER 16, 2023**

Hon. Vince Chhabria

Trial Date: None
Date Action Filed: July 7, 2023
Current CMC Date: Oct. 20, 2023

Pursuant to Civil L.R. 7-11 and Paragraph 16 of the Court’s Standing Order, Plaintiffs Richard Kadrey, Sarah Silverman, and Christopher Golden (collectively, “Plaintiffs”) and Defendant Meta Platforms, Inc. (“Meta” or “Defendant”) submit this Stipulation (“Stipulation”) to continue the Initial Case Management Conference (“CMC”), currently scheduled for October 20, 2023, to November 16, 2023 to coincide with the hearing on Meta’s Motion to Dismiss. Good cause exists to grant this Stipulation, as discussed below.

1. Plaintiffs filed the Complaint (Dkt. 1) in this action on July 7, 2023.

2. The initial CMC is currently scheduled for October 20, 2023 at 10:00 a.m. (Dkt. 13.)

3. On September 18, 2023, Meta filed a motion to dismiss (“Motion to Dismiss”) (Dkt. 23) under Rule 12(b)(6) of the Federal Rules of Civil Procedure directed to all six claims in the Complaint. The Motion to Dismiss is set for hearing on November 16, 2023 at 10:00 a.m.

4. On September 12, 2023, another action, *Chabon et al. v. Meta Platforms Inc.*, No. 4:23-cv-04663-DMR (N.D. Cal.) (the “*Chabon* Action”), was filed against Meta in this Court, asserting identical causes of action and concerning substantially the same parties, transactions, and events at issue as in the instant action.

5. On September 19, 2023, Plaintiffs filed an unopposed Motion to Relate Case (Dkt. 28) to consider whether the *Chabon* Action and this action should be related (“Related Cases Motion”). The parties are also conferring between themselves and with counsel for the plaintiffs in the *Chabon* Action regarding how best to promote the interests of efficiency and judicial economy in light of the substantial overlap of factual and legal issues in the two cases.

6. Paragraph 16 of the Court’s Standing Order provides that “[i]f the parties wish to continue a case management conference, they must file a stipulation or motion – separate from their joint case management statement – at least 72 hours prior to the conference.”

7. The parties seek to continue the CMC from October 20, 2023 to November 16, 2023, to coincide with the hearing on Meta’s Motion to Dismiss.

8. Good cause exists for this request, as moving the CMC to coincide with that hearing will promote judicial economy and allow the parties to conduct a more productive Rule 26(f) conference with the benefit of the Court’s ruling on the Related Cases Motion and additional time

to consult and coordinate with counsel for plaintiffs in the *Chabon* Action as to the most efficient path forward. No party will be prejudiced by the requested continuance.

9. The parties have not previously requested that the CMC be continued.

10. For these reasons, the parties hereby stipulate to and request an order continuing the CMC currently scheduled for October 20, 2023 at 10:00 a.m. to November 16, 2023 at 10:00 a.m., and continuing the parties' attendant obligations under Rule 26 accordingly.

Respectfully submitted,

Dated: September 22, 2023

COOLEY LLP

By: /s/ Angela L. Dunning

Angela L. Dunning
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Judd Lauter
Colette Ghazarian

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Mark A. Lemley

Attorneys for Defendant
META PLATFORMS, INC.

Dated: September 22, 2023

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By: /s/ Joseph R. Saveri

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SILVERMAN, and CHISTOPHER
GOLDEN

[PROPOSED] ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

1. The Initial Case Management Conference, currently scheduled for October 20, 2023 at 10:00 a.m., is hereby continued to November 16, 2023 at 10:00 a.m.; and

2. All deadlines associated with the parties' obligations under Rule 26 shall be continued accordingly.

Dated: _____, 2023

HON. VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)

I hereby attest that I obtained concurrence in the filing of this document from each of the other signatories. I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 22, 2023

COOLEY LLP

/s/ Angela Dunning

Attorneys for Defendant
Meta Platforms, Inc.